

Message Text

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PAGE 01 USUN N 03348 201609Z

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
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O 201510Z AUG 76

FM USMISSION USUN NY

TO SECSTATE WASHDC IMMEDIATE 8775

C O N F I D E N T I A L USUN 3348

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FOR THE SECRETARY FROM AMB. LEARSON

FROM US LOS DEL

E.O. 11652: XGDS-3

TAGS: PLOS

SUBJECT: LOS: DAILY REPORT FOR THE SECRETARY

1. COMMITTEE I: C-I WORKSHOP MET THURSDAY AFTERNOON TO REVIEW RESPONSE OF INDUSTRIALIZED COUNTRIES ON G-77 AMENDMENTS TO KEY ACCESS PROVISIONS. BEGINNING WITH THE EC (REPRESENTED BY THE NETHERLANDS), FOLLOWED BY JAPAN, FRG, USSR, UK, FRANCE AND THEN US, INDUSTRIALIZED COUNTRY STATEMENTS WERE UNIFORMLY INSISTENT THAT PURE DUAL SYSTEM OF EXPLOITATION, WITH AUTOMATIC, NONDISCRETIONARY, NON-DISCRIMINATORY ACCESS, WAS ONLY CONCEIVABLE COMPROMISE THAT COULD ACHIEVE THEIR SUPPORT. US AND USSR INTRODUCED ALTERNATIVE TEXTS TO G-77 TEXTS. US STATEMENT STRESSED NEED TO CREATE NEGOTIATING FORUM BETWEEN G-77 AND INDUSTRIALIZED COUNTRIES AND CLEAR LINKAGE ON OUR AGREEMENT TO ARTICLE 9 (WHICH CANNOT BE CHANGED) AND PURE PARALLEL SYSTEM. INDUSTRIALIZED COUNTRY VIEWS WERE ALMOST UNIVERSALLY ACCEPTED BY LDCA AS NONCONFRONTATIONAL AND FACTUAL. PERU, THE G-77 SPOKESMAN, RESPONDED BY ASKING INDUSTRIALIZED COUNTRIES TWO KEY QUESTIONS: WOULD WE BE WILLING TO FINANCE
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THE ENTERPRISE AND WOULD WE ALLOW THE AUTHORITY TO

HAVE ANY POWER TO NEGOTIATE WITH PROSPECTIVE CONTRACTORS. (WE BELIEVE THIS EMPHASIS ON ENTERPRISE FINANCING IS EFFORT TO LEAD G-77 INTO PERCEIVING BASIC TRADE-OFF OF ACCESS FOR ENTERPRISE.) FOLLOWING MEETING, SEVERAL LDCS ASKED US IF WE WOULD BE WILLING TO FORM NEGOTIATING GROUP WITH DESIGNATED REPRESENTATIVES FROM G-77 AND INDUSTRIALIZED COUNTRIES EMPOWERED TO NEGOTIATE ON BEHALF OF BOTH GROUPS. GUATEMALA HAS ASKED FOR G-77 PLENARY MEETING TO DISCUSS NEED FOR LDC MODERATION AND FLEXIBILITY IN G-77. IN SUMMARY, DAY ENDED ON APPARENT NOTE OF CALM, WITH BOTH SIDES VISIBLY RELIEVED THAT ALL THE CARDS WERE NOW ON THE TABLE AND OPTION EXISTED FOR COMMENCING NEGOTIATION ON ARTICLE 22, IF G-77 WILLING TO NEGOTIATE ON BASIS OF PRINCIPLE OF DUAL ACCESS. NEXT FEW DAYS MAY DETERMINE STRENGTH OF THOSE WHO SEEK A C-I SETTLEMENT IN G-77 AND OF THOSE EXTREMISTS IN G-77 WHO DO NOT WANT A TREATY IF IT IS NOT ON THEIR TERMS.

2. COMMITTEE II: TWO NEW NEGOTIATING "SMALL GROUPS" HELD THEIR FIRST SESSIONS. IN THE MORNING THE SUBJECT WAS THE CONTINENTAL MARGIN AND REVENUE SHARING. THERE WAS AN INITIAL EXCHANGE OF VIEWS WITH THE COASTAL STATES GENERALLY ON ONE SIDE OF THE ISSUE AND THE LL/GDS ON THE OTHER. THE FOCUS WAS THE IRISH PROPOSAL AND THE TONE WAS GOOD. DISCUSSION OF THE QUESTION OF THE LEGAL STATUS OF THE ECONOMIC ZONE BEGAN IN THE AFTERNOON. THE SESSION WAS MARKED BY POLEMICS FROM THE TERRITORIALISTS (LED BY PERU) AND FIRMNESS FROM OUR SIDE. CANADA SUGGESTED A FRAMEWORK FOR FURTHER NEGOTIATIONS BASED ON THE TEXT AGREED TO BY THE EVENSEN GROUP IN GENEVA AND OTHER APPROPRIATE ARTICLES.

3. COMMITTEE III: CHAIRMAN YANKOV HAS AGREED TO TRY TO SET UP PRIVATE NEGOTIATIONS ON SCIENTIFIC RESEARCH NEXT WEEK. GROUP WOULD BE VERY SMALL AND PROBABLY CONTAIN US, USSR, FRG, NETHERLANDS, AUSTRALIA, MEXICO, BRAZIL AND KENYA. DURING DISCUSSION OF YANKOV COMPROMISE, THERE WAS SOME INDICATION FROM BRAZIL AND KENYA THAT PARAGRAPH 1 OF ARTICLE 60, THE OVERALL CONSENT CONCEPT, WAS THE KEY ISSUE AND THAT OTHER CONFIDENTIAL

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ISSUES ON SCIENTIFIC RESEARCH MIGHT BE SETTLED IF ALL ACCEPTED PARAGRAPH 1.

4. DISPUTE SETTLEMENT: THE ARAB COUNTRIES MADE A CONSERVED EFFORT TO DELETE A PROVISION ALLOWING OWNERS OR OPERATORS OF VESSELS TO REQUEST AN INTERNATIONAL TRIBUNAL TO ORDER RELEASE OF A DETAINED VESSEL ON POSTING OF BOND. REASON FOR THIS ATTACK IS NOT

CLEAR, UNLESS THEY ARE WORRIED THAT SOMEHOW THIS PRO-
VISION BENEFITS ISRAEL.
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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, LAW OF THE SEA, LESS DEVELOPED COUNTRIES, DISPUTE SETTLEMENT, MEETING REPORTS, INDUSTRIALIZED NATIONS, AMENDMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 20 AUG 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: saccheem
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976USUNN03348
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X3
Errors: N/A
Film Number: D760319-1347
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760832/aaaabblw.tel
Line Count: 118
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS, STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS, STADIS
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: saccheem
Review Comment: n/a
Review Content Flags:
Review Date: 12 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 MAY 2004 by buchant0>; APPROVED <14 SEP 2004 by saccheem>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: DAILY REPORT FOR THE SECRETARY
TAGS: PLOS, US, (KISSINGER, HENRY A)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006